

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re:

Chapter 7

Jessica A Jones,

Case No. 16-44072-tjt

Debtor(s).

Judge Thomas J. Tucker

Karen E. Evangelista,

Adversary Proceeding No. 17-04633-tjt

Plaintiff,

v.

The University of Phoenix and Optio Solutions, LLC,

Defendants.

ORDER *DENYING* JOINT MOTION TO FILE UNDER SEAL

This adversary proceeding is before the Court on the Motion to File Under Seal (Docket # 45, the “Motion”) filed by Defendants The University of Phoenix, Inc. (“The University”) and Optio Solutions, LLC (“Optio”) (collectively, the “Defendants”), with the consent of Plaintiff Karen E. Evangelista (“Plaintiff”) (collectively, the “Parties”).

In the Motion, Defendants seek an order under 11 U.S.C. § 107(b)(1) and Federal Rule of Bankruptcy Procedure 9018 allowing Plaintiff to file a proposed confidential settlement and release agreement and motion for approval of the settlement under Fed. R. Bankr. P. 9019 under seal.

The Court finds that the Motion fails to demonstrate good cause or proper legal justification for the relief sought. The Motion appears to ask that the Court allow the Plaintiff Chapter 7 Trustee to move for approval of a settlement without informing any of the creditors or the United States Trustee of any of the proposed settlement terms. This would deprive the creditors and the United States Trustee of any meaningful notice and any meaningful opportunity to object to the proposed settlement. The Court will not do this.

Accordingly,

IT IS ORDERED that the Motion (Docket # 45) is denied.

Signed on February 22, 2018



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge